



Star Valley Conservation District

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SUBMITTED VIA EMAIL

March 5, 2015

Shaun McGrath
Region VIII EPA Administration
1595 Wynkoop St.
Denver, CO 80202-1129

RE: Categorical Use Attainability for Contact Recreation Use Designations

Dear Administrator McGrath,

On behalf of the Star Valley Conservation District (SVCD), in Star Valley, Wyoming, we would like to request your approval of the Categorical Use Attainability Analysis (UAA) as submitted by the Wyoming Department of Environmental Quality (WDEQ).

We would also like to address statements in the Wyoming Outdoor Council (WOC) letter dated January 5, 2015.

WOC letter Page 6, paragraph 7 – *...Moreover, although the conservation districts “visited over 700 sites to help validate the UAA. None of the sites took place during the summer recreation season. UAA20. The DEQ claims “the photographs are shown only to depict channel flow and characteristic” without acknowledging that flow characteristics during the fall are not at all characteristic of flows that one would encounter on those streams in June, July and August, the primary outdoor recreation season.*

- Star Valley Conservation District staff conducted UAA site visits during July, August and September 2010. This time frame is considered prime summer recreation months in Star Valley, Wyoming.
- September is considered a “primary” recreation time in Star Valley due to hunting season.
- Stream flow characteristic in June in Star Valley is considered spring run off. Recreation in spring run off water is generally unlikely due to dangerous water conditions and cold temperatures of the water.
- Stream flow characteristics typical of June were considered and site visits were scheduled to coincide with the highest recreation use time frames.
- Conservation districts evaluated specific UAA sites. To access specific referenced sites, district personnel traversed longer sections of the streams. Informal evaluation of the

streams capacity for primary contact recreation was evaluated for the traversed stream length.

WOC letter page 6, paragraph 7 – *Based on the information displayed in the DEQ's Recreation Designated Use Web Map, it appears that most sites visits occurred in areas that are accessible by motor vehicle, and very few were conducted inside higher elevation forested areas or in remote mountainous parts of the state where summer flows can vary widely due to snow melt, precipitation and diurnal temperature variations...*

- Of the 26 UAA sites visited by SVCD staff, 14 were located in remote mountainous parts of the District within the Bridger-Teton National Forest.
- Several of these sites are not accessible via motor vehicle and were accessed by SVCD staff via horseback and hiking.
- The more remote UAA sites are not accessible until July/August due to snow.

WOC letter page 11, paragraph 4 and page 12, paragraph 1 – *National Outdoor Leadership School (NOLS), based in Lander, WY reported over twenty thousand user days during the summer season the Shoshone and Bridger-Teton National Forests in 2013. NOLS also reported hundreds of user days on Wyoming's public lands managed by the Bureau of Land Management.¹⁵ Wilderness expeditions led by NOLS are typically 30 days in length; during that period, NOLS students and their instructors may travel one hundred miles or more on foot, both on-trail and off-trail.¹⁶ During the entire time in the backcountry they rely on naturally occurring surface water for all their water needs, which include typical recreational activities such as swimming, floating and wading, but also uses such as dunking and splashing to cool off, bathing, cooking, and personal hygiene, etc. All of these activities, to one extent or another, present a risk of ingestion of water, and all are encompassed by Wyoming DEQ's definition of contact recreation.*

- It is generally understood by backcountry users that surface water encountered during recreational activities, such as hiking and camping, has not been treated and is generally not classified as drinking water.
- Surface water designated as Primary Contact Recreation, by its definition, is not suitable for use in bathing, cooking or personal hygiene.
- Using unfiltered surface water for bathing, cooking or personal hygiene, regardless of its classification, is inadvisable.
- NOLS, with twenty thousand user days during the summer months and other user groups, bathing in shallow surface waters, small pools and lakes of Wyoming backcountry create a water quality problem.

WOC letter page 14, paragraph 7 - *These limited actions to engage the general public, described in greater detail below, fail to meet the minimum public participation requirements set forth in part 25.*

- In addition to public comment periods, legal notices, radio and newspaper articles, the SVCD addressed the Categorical Use Attainability Analysis project in two regularly scheduled, public board meetings during 2010. With 34 conservation districts in the State of Wyoming, assuming each conservation district addressed this issue at least twice during the 4-year planning process, would give 68 additional opportunities for WOC and

other interested parties, the opportunity to be informed of the UAA project in a public meeting.

It is the mission of the Star Valley Conservation District to pursue conservation, wise use and protection of our natural sources. The work conducted on the UAA project by Wyoming DEQ and Wyoming Conservation Districts supports our mission. We look forward to EPA's approval of the Categorical Use Attainability for Contact Recreation Use Designations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brenda Ashworth", is shown within a rectangular border.

Brenda A. Ashworth, P.G.
District Manager

Cc: Wyoming's Conservation Districts
Wyoming Department of Agriculture
Wyoming Department of Environmental Quality
Honorable Matt Mead, Governor, State of Wyoming